



U.S. Serial No. 09/610,313  
PP01631.101  
2302-1631.20

**PATENT**

**CERTIFICATE OF MAILING PURSUANT TO 37 CFR § 1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 14, 2004.

10/14/04  
Date

Michelle Hobson  
Signature

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of:

BARNETT et al.

Serial No.: 09/610,313

Filing Date: July 5, 2000

Title: POLYNUCLEOTIDES ENCODING  
ANTIGENIC HIV TYPE C POLYPEPTIDE,  
POLYPEPTIDES AND USES THEREOF

Examiner: B. Whiteman

Group Art Unit: 1635

Confirmation No.: 4221

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT  
APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID  
SEQUENCE DISCLOSURES**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures mailed on June 14, 2004, transmitted herewith are:

- [X] A copy of the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures.
- [X] A paper copy of the "Sequence Listing".
- [X] A copy of the "Sequence Listing" in computer readable form on a:
  - [X] 3 ½" floppy disk

The content of the copy in computer readable form is identical to the content of the paper copy of the "Sequence Listing" and no new matter has been introduced.

- ☒ Amendment directing entry of the sequence listing into the application.
- ☒ A return receipt postcard is also enclosed.

The Commissioner is hereby authorized to charge any underpayment of the following fees associated with this communication, or credit any overpayment to Deposit Account No. 18-1648:

- ☒ Any national application filing fees under 37 CFR 1.16.
- ☒ Any patent application processing fees under 37 CFR 1.17.

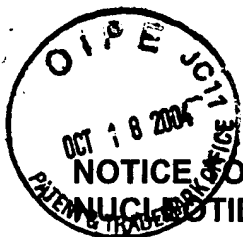
Respectfully submitted,

Date: October 14, 2004

By: 

Dahna S. Pasternak  
Attorney for Applicants  
Registration No. 41,411

CHIRON CORPORATION  
Intellectual Property - R440  
P. O. Box 8097  
Emeryville, CA 94662-8097  
Telephone: (510) 923-2969  
Facsimile: (510) 655-3542



Application No.: 09/610,313

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicants attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a Sequence Listing as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the ASequence Listing in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the ASequence Listing in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up ARaw Sequence Listing.
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the ASequence Listing is not the same as the computer readable form of the ASequence Listing as required by 37 C.F.R. 1.821(e).
- ☒ 7. Other: An amino acid sequence on page 75, but there is no SEQ ID NO: and it is missing from the CRF.

**Applicant Must Provide:**

- ☒ An initial or substitute computer readable form (CRF) copy of the ASequence Listing.
- ☒ An initial or substitute paper copy of the ASequence Listing, as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

PatentIn Software Program Support (SIRA)

Technical Assistance.....703-287-0200

To Purchase PatentIn Software.....703-306-2600

**PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE**